



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 11, 2008

VIA ELECTRONIC FILING

Honorable George A. O'Toole, Jr.
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: Federal Trade Commission v. Direct Marketing Concepts, Inc., et al.,
Docket No. 04-CV-11136-GAO

Dear Judge O'Toole:

Attached for the Court's consideration please find a copy of the recent decision of the Court of Appeals for the Seventh Circuit affirming the lower court's opinion in favor of the FTC in the matter of *FTC v. QT, Inc., et al.*, No. 03-3578 (N.D. Ill.). The Commission previously submitted for the Court's consideration a copy of the lower court's opinion. (Docket No. 177) The *QT, Inc.* case involved health-related claims and issues of advertising interpretation similar to those present in the matter of *FTC v. Direct Marketing Concepts, Inc., et al.*, No. 04-11136-GAO, currently pending before the Court.

Sincerely,

Edward Glennon

Attachment

cc: Peter S. Brooks, Esq. (w/ attachment) (via ECF notice)
Christopher F. Robertson, Esq. (w/ attachment) (via ECF notice)
Joseph Ryan, Esq. (w/ attachment) (via ECF notice)
Sage International, Inc. (for BP International) (w/ attachment) (via Fed Ex)